



HON. SYLVIA O. HINDS-RADIX
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August 22, 2023

VIA ECF

Hon. Colleen McMahon
United States Magistrate Judge
Southern District of New York
500 Pearl St.
New York, NY 10007-1312

8/23/23
Conference canceled. No discovery until
motion to dismiss is decided.
Motion to dismiss due 10/30, opposition due 11/13,
reply due 11/20.

Re: Oscar Perez and Daniel Benavides v. City of New York, et.al.
1:23-cv-00447-CM

Dear Judge McMahon :

I am an Assistant Corporation Counsel in the Office of the Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, and attorney for the Defendants who have been served ("Defendants") in the above-captioned matter.¹ I write to respectfully request that the Court stay discovery in this matter and to adjourn the conference currently scheduled for September 14th, 2023 until after the resolution of Defendants' motion to dismiss. The Court has not yet set a date for argument on the motion.

Defendants submit this request because I will be on parental leave from August 24th, 2023, until October 10th, 2023, following the birth of my daughter. I am not unconscious of the fact that this is our second request to adjourn this conference and that Plaintiff's counsel also made a request regarding the return date on Defendants' motion to dismiss. I am hopeful for your understanding and apologize for any inconvenience. I have discussed this matter with Plaintiff's counsel and he consents.

I thank the Court for considering this request.

Respectfully submitted,

¹ As the Court may recall, Plaintiff has requested additional time to serve the remaining putative individual defendant, Emilio Melendez.

/s/ Eric Arbizo

Eric Arbizo
Assistant Corporation Counsel

Cc: Thomas Gambino by ECF